



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

APR 30 2007

Mr. Tom Keegan
Environmental Director
Dry Creek Rancheria Band of Pomo Indians
190 Foss Creek Circle, Suite A
Healdsburg, CA 95448

Re: Issuance of NPDES permit CA0005241 for the Dry Creek Rancheria

Dear Mr. Keegan:

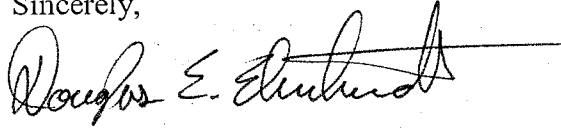
Please find enclosed the final National Pollution Discharge Elimination System (NPDES) permit for the discharge of treated domestic wastewater from the Dry Creek Rancheria (NPDES CA0005241); along with the final Statement of Basis and Comment Response Document. EPA issued a public notice of proposed action in the *Santa Rosa Press Democrat* on June 29, 2006. During the comment period, EPA received comments from approximately 50 interested parties.

Within 33 days of this notice, any person who filed comments on the proposed permit conditions may petition the Environmental Appeals Board (EAB) to review the conditions of the permit. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period and a showing that the condition in question is based on: (1) a finding of fact or conclusion of law which is clearly erroneous, or (2) an exercise of discretion or an important policy consideration which the EAB should, in its discretion, review. See 40 C.F.R. §§ 124.19(a) and 124.20(d).

40 C.F.R. § 124.60 (b)(1) states that, as provided in 40 C.F.R. § 124.16 (a), if an appeal of an initial permit decision is filed under Section 124.19 of this Part, the force and effect of the contested conditions of the final permit shall be stayed until final agency action under 40 C.F.R. § 124.19 (f). In accordance with 40 C.F.R. § 124.16 (a)(1), "[i]f the permit involves a . . . new source, new discharger or a recommencing discharger, the applicant shall be without a permit for the proposed new . . . source or discharger pending final agency action." Please review 40 C.F.R. § 124 and the revisions at 65 Fed. Reg. 30886 for a complete description of the requirements regarding appeal of NPDES permits.

If you have any questions regarding the procedures outlined above, or if you would like to review or request any documents from the Administrative Record, please contact me at (415) 972- 3420 or contact John Tinger of my staff at (415) 972-3518 or e-mail at Tinger.John@epa.gov.

Sincerely,



Douglas E. Eberhardt
Chief, CWA Standards and Permits Office

Enclosures:

Final Permit
Final Statement of Basis
Comment Response Document

CC: (w/ enclosure)
Mr. John Short
North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Mr. John McKeon
NOAA Fisheries
501 West Ocean Blvd, Suite 4200
Long Beach, CA 90802

Ms. Cheryl Diehm
Office of Representative Mike Thompson
Napa District Office
1040 Main St., Suite 101
Napa, CA 94559

Mr. Bruce Goldstein
Assistant County Counsel
County Administration Center
575 Administration Drive Room 105A
Santa Rosa, CA 95403

Mr. Larry Cadd
Alexander Valley Association
P.O. Box 1195
Healdsburg, CA 95448